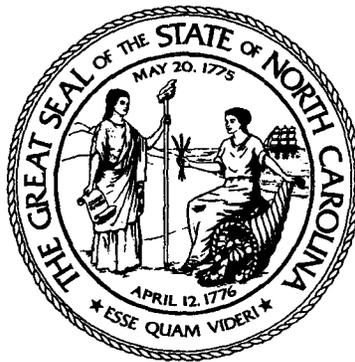


**COMMISSION ON IMPROVING
THE ACADEMIC ACHIEVEMENT
OF MINORITY AND AT-RISK STUDENTS**



**REPORT TO THE
2000 SESSION OF THE
1999 GENERAL ASSEMBLY
OF NORTH CAROLINA**

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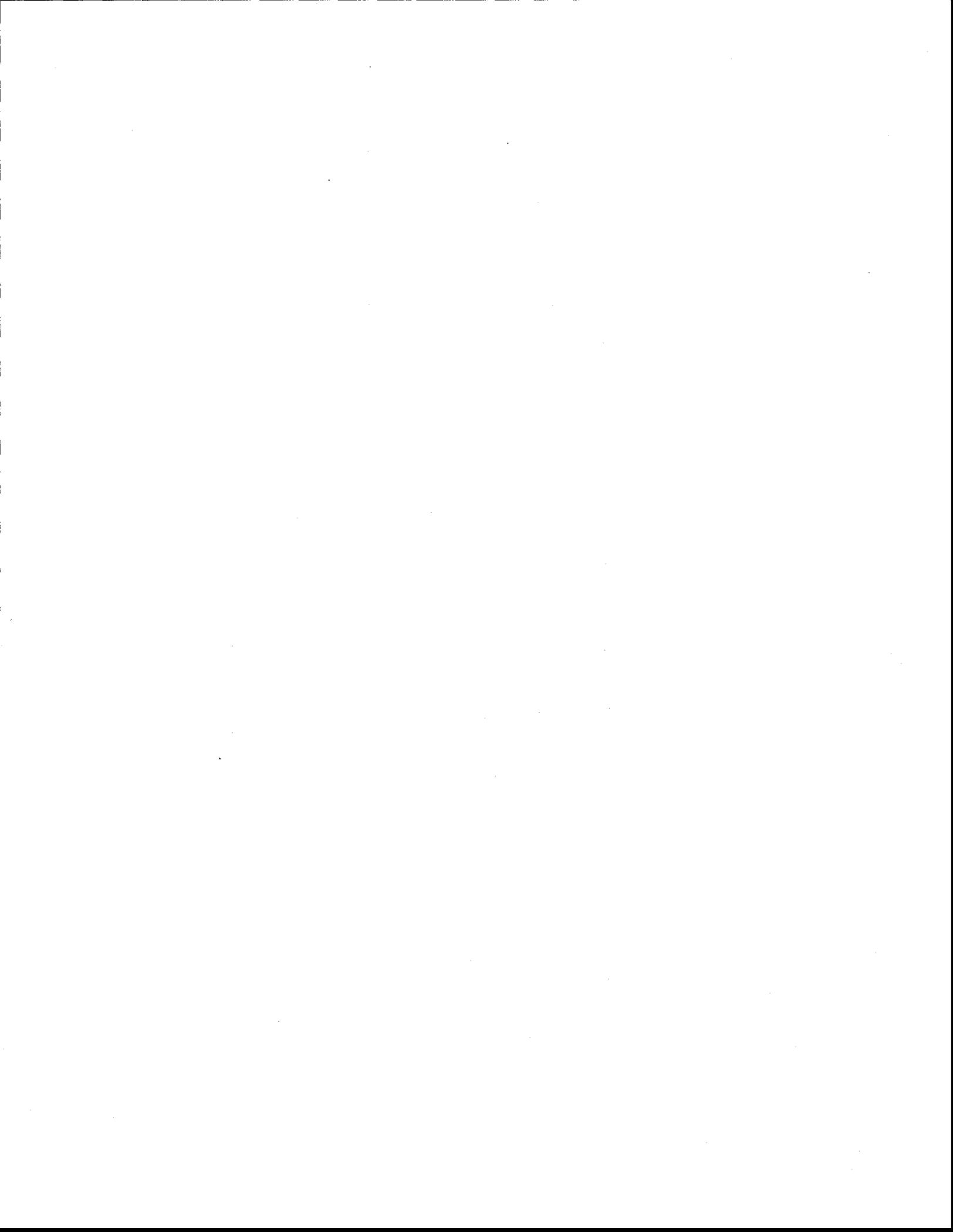
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STATE OF NORTH CAROLINA

COMMISSION ON IMPROVING THE ACADEMIC ACHIEVEMENT OF
MINORITY AND AT-RISK STUDENTS



May 8, 2000

TO THE MEMBERS OF THE 1999 GENERAL ASSEMBLY (REGULAR SESSION 2000):

The experiences related to racial and economic disparities in academic achievement between identifiable groups of North Carolina students are consistent with those nationally, as have been set out in various reports and articles – such as the series that appeared in *Education Week* during March and April, 2000. Strong and well thought-out approaches to eliminating the disparities, along with a commitment to adequacy of funding and other resources, are needed if we are to close the very pronounced gap. Examples of success in closing the gap do exist. Data reveal, however, that as North Carolina pursues that very appropriate and admirable goal of increased student achievement, we must be careful not to have the negative consequences outweigh the positive results.

A failure in approach could lead to substantially increased distrust of the school systems by students, parents, and community organizations. It could lead to more behavioral problems, higher dropout rates, and other very undesirable long-term academic, social, economic, and civic consequences. The issue of "closing the gap" cries out for a comprehensive and multi-faceted solution. Any policy designed to increase academic standards must be implemented in a measured way and in conjunction with – as opposed to "preceding" – serious efforts to close the gap through the use of best practices.

This is a problem of great magnitude that must be addressed with solutions of equally great magnitude. It is with these thoughts that the Commission on Improving the Academic Achievement of Minority and At-Risk Students submits to you for your consideration its 2000 interim report. The report was prepared in accordance with S.L. 1999-395, Sections 15.1-15.11. We hope the work of this Commission will constitute one of the stepping stones along the pathway to success for all students.

Respectfully submitted,

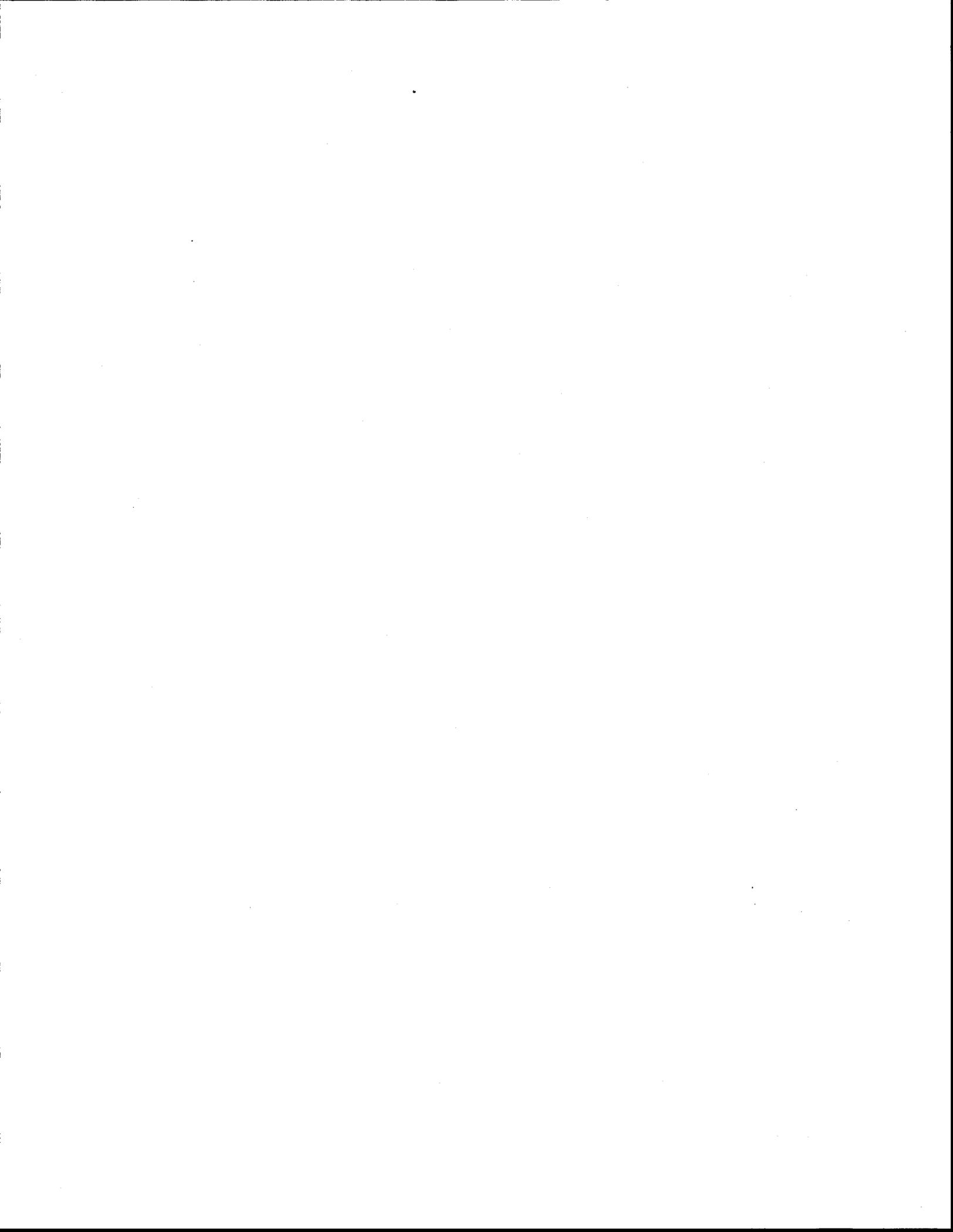
A handwritten signature in black ink, appearing to read "William N. Martin".

Senator William N. Martin

A handwritten signature in black ink, appearing to read "Warren C. Oldham".

Representative Warren "Pete" Oldham

Cochairs, Commission on Improving the Achievement of Minority and At-Risk Students



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OF MINORITY AND AT-RISK STUDENTS
1999-2000**

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COMMISSION PROCEEDINGS

The Joint Legislative Commission on Improving the Academic Achievement of Minority and At-Risk Students held four meetings, conducted one public hearing, had one roundtable discussion, and attended a three-day conference on Closing the Achievement Gap that was sponsored by the Department of Public Instruction (DPI).

February 8, 2000

ABC's Plan and Student Performance Standards

At its first meeting, the Commission heard a presentation from Mr. Marvin Pittman, Assistant to the State Superintendent of Public Instruction, in which he reviewed current State policy to raise student achievement. He noted that North Carolina is recognized as one of two states in the nation for its progress in student accountability. However, there are disparities in report card grades and end-of-grade test results. Minority students also are making lower scores than the majority white students, as well as poor students versus affluent students. Mr. Pittman stated that the State's goal is to raise the standards for all students by assessing (1) student academic needs, (2) parental needs, (3) educational concerns, and (4) community expectations.

The goals of the student standards are to improve student achievement and to increase the number of students performing on grade level. The standards, also called gateways, will ensure that students are working at grade level in reading, writing and mathematics before being promoted to the next grade. The gateway components are as follows:

- Gateway 1 – Grade 3: Students must meet local promotion requirements and demonstrate grade-level proficiency by scoring at Level III or above on state end-of-grade tests in reading and mathematics. Effective date: 2001-02.
- Gateway 2 – Grade 5: Students must meet local promotion requirements; demonstrate grade-level proficiency by scoring at Level III or above on state end-of-grade tests in reading and mathematics; and demonstrate adequate progress in writing by scoring at or above proficiency Level 2.5 on the grade 4 writing assessment. Effective date: 2000-01.
- Gateway 3 – Grade 8: Students must meet local promotion requirements; demonstrate grade-level proficiency by scoring at Level III or above on state end-of-grade tests in reading and mathematics; and demonstrate adequate progress in writing by scoring at or above proficiency Level 2.5 on the grade 7 writing assessment. Effective date: 2001-02.
- Gateway 4 – High School: Students must meet existing local and state graduation requirements; achieve a passing score on an exit exam of essential skills given to students in the spring of their 11th grade (effective date: Graduating Class of 2003);

and achieve a passing score on a computer skills test. Effective date: Graduating Class of 2001.

Mr. Pittman concluded his presentation by noting that these policies are designed to raise the expectations for all students; it is not just about testing. It is about testing, looking at the results, providing intervention, doing personal education plans, re-testing and teaching.

Next, Ms. Mildred Bazemore, Chief, Testing Section, Accountability Division, DPI, presented disaggregated data, which looked at people, places, points, time and subgroups. She noted that test data provides achievement information, which helps in making informed decisions about students. Ms. Bazemore also made a presentation on the legal implications of high-stakes testing (where there are any kind of high-stake consequences associated with the use of test results). Legal implications focus on test validity, reliability, fairness, and the use of multiple forms. She noted that, by the year 2004, all of the State's tests would have been revised to ensure validity, reliability, fairness and security.

"Exposing the Gap: Why Minority Students Are Being Left Behind in North Carolina's Educational System"

Ms. Yvonne Perry, Project Coordinator, Education and Law Project, and Ms. Kim Cartron, Policy Analyst, North Carolina Budget & Tax Center Project, both from the North Carolina Justice and Community Development Center, summarized the findings in this recent report. Ms. Perry noted that "the achievement gap represents a crisis in our education system which should be given priority above all other education issues." She recommended that the following resolutions be taken into consideration when addressing the achievement gap.

- Commit to End the Achievement Gap by 2005
- Create a Permanent Commission to Develop a Comprehensive Plan
- Create Local Task Forces to Address the Achievement Gap
- Develop an Annual Minority Achievement Report Card
- Create a Special Unit Within the Department of Public Instruction
- Change the ABC's Program to Focus on Minority Student Growth and Dropout Rate
- Suspend New Statewide Student Grade Promotion Policies
- Examine Discipline and Alternative School Policies
- Fund Programs That Work
- Make Achieving the Gap a Priority for North Carolina Colleges and Universities
- Require Diversity Training for Teachers
- Increase the Number of Minority Teachers
- Increase Minority Parent Advocacy
- Encourage Foundations and Corporations to Focus Giving on the Achievement Gap
- Increase Business and Community Support
- Expand Media Coverage of the Achievement Gap

Ms. Perry also stated that the achievement gap requires immediate attention because of its political, economic and moral imperatives. "It is not a question of whether minority students can achieve at the same level as majority students. Rather, the question is why our schools are failing so many minority students."

March 9, 2000

Public Hearing at the Family Resource Center in Siler City

The following are some of the concerns raised by the audience:

- Ms. Margie Ellison expressed the need to know why minority students are being deprived of a quality education. She stated that many children of color are excluded from receiving a public education through in-school suspensions, out-of-school suspensions and the high dropout rate. She also noted that the Hispanic/Latin American community is not the problem; this problem has existed in Chatham County for many years. Ms. Ellison said that while minorities are overrepresented in their identification as students with disabilities (BEH and EMH), they are underrepresented in programs for academically gifted and talented children.
- Pastor Norma Bryant (pastor of a local church and an educator at a local community college), expressed the need for funds to open day care centers in Chatham County like the Montessori Haywood Educational Community Day Care. This day care is housed in the annex of her church and there seems to be a lot of unnecessary red tape as it relates to the final inspections. She also stated that the church is providing a tutorial service for children in the community and they have seen improvements in academic performance over the past two years.
- Ms. Mary Lee Moore, director of federal programs in the Chatham County school system, stated that for the last two years, the school system has paired with the Latin American Resource Center to bring together students considered at-risk into a summer migrant education program. Migrant families generate money for migrant educational services. However, she noted that Chatham County is a community that services a high poverty level; therefore, Title I, State, and local funds can be used for at-risk populations. Ms. Moore stated that a community family meeting was held in order to find out what were happening in the community and what parents, students, teachers and administrators would like to see happen in Chatham County. Teachers said they would like to see open-mindedness, community involvement, better communication, and tolerance, love of God and respect for others. Parents said they would like to see the community come together as a unit to learn each others' languages, more parent participation, and respect for diversity. According to Ms. Moore, everyone wants to see violence stopped, drugs eliminated, cleaner neighborhoods, more family parks and recreation areas, and more funding sources made available to the community. She noted the demographic status of the community as follows: 30% of the children under five years old in Siler City live in

poverty; 73% of the children at Siler City Elementary School qualify for free and reduced lunch (compared to 32% of the county overall); and 43% of adults in Siler City have less than a high school diploma (compared to 30% of the county as a whole).

- Mr. Greg Solomon expressed the need for more funds at the State and federal level. The local tax base does not provide the necessary resources, especially with the rapidly growing population. Chatham County has four Title I schools (almost a fourth of the school system). Mr. Solomon stressed the need to reward teachers who teach in difficult schools. The ABC's program rewards schools that perform at certain levels. Our schools are not there yet, but we can't afford to lose those good teachers. He was also concerned that the current system promotes going across the street or down the road for the \$1500 bonus from the ABC's program.
- Ms. Kim Caraganis, director of a mentor program in Chatham County, expressed the need for transportation to support after-school and homebound programs. Ms. Caraganis stated that the system spends so much time on emphasizing testing that she worries about time not being spent with students who might need to learn in different ways. She believes there is a disconnect between the schools and the parents of at-risk students -- children are sometimes blamed for the problems of their parents. Ms. Caraganis stated that the system needed to focus on encouraging parents to come into the schools and make the schools a more friendly and comfortable place for parents and their children. She also wanted to see expectations raised for students.
- Mr. Jimmy Brower, lead ESL teacher for Chatham County, noted and supported the implementation of ESL teachers taking literacy training with mainstream teachers. Mr. Brower expressed a need for more teachers and more funding for supplies and technology. He also thanked other Chatham County residents for all the positive work they are doing.
- Mr. Phillip Cates, executive director of the Chatham Education Foundation, voiced his concern that the ABC's program is not developmentally based. He noted that at least 20% of a teacher's time is spent meeting some requirement of the ABC's program. Mr. Cates also noted the need to address the needs of students with emotional and biological issues.
- Ms. Paula Browder of the Chatham County Dispute Settlement Center addressed the need for public health participation with at-risk students and families, teaching of social skills to at-risk students and supporting delinquent intervention programs. She also expressed the need to look at issues that interfere with children's learning such as disruptive homes, divorce and diversity.
- Ms. Jenny Megginson gave credit for the great success of the Smart Start programs in Chatham County. She was concerned about the increase and supply of childcare.
- Mr. Bob Reising, a professor at The University of North Carolina at Pembroke, addressed the need to include ALL children in the education process. He suggested that Chatham County implement the Comer Model, which focuses on the

relationship between minority group student school success and strategies that value minority cultures and engage families in the educational process.

- Ms. Michelle Cotton addressed the need to make our curriculum more culturally fit and to encourage more collaboration between the DPI and the Department of Health and Human Services (DHHS). Ms. Cotton also expressed the need to implement the Beacon School Model and the Comer Model in order to bridge the achievement gap within communities and families.
- Mr. Wayne Sherman, a health director for Chatham County, noted the need for more school-based health centers in Chatham County. Mr. Sherman stated that sponsors are needed to help start and support these centers.
- Mr. T.C. Yarborough, law enforcement officer and PTA president at Siler City Elementary School, expressed his concern about employing more ESL teachers.
- Mr. Harold Taylor expressed his concern about employing more minority teachers in general and more minority male teachers in Chatham County.
- Mr. Donald Phillips, chief core counselor for the Office of Juvenile Justice, noted the need for juvenile justice reform throughout the state.

March 10, 2000

Roundtable Discussion at the Family Resource Center in Siler City

The following were some of the concerns generated during the roundtable discussion.

- Students with the most needs need the best teachers and the best teachers deserve the best salaries
- Obtain community help to raise emotionally healthy children
- Provide parenting support systems (non-traditional parental guidance)
- Support local education funds through nonprofit, community-based organizations
- Offer incentives to teachers that work with at-risk students
- Require diversity training for teachers
- Create the proper environment for learning
- Create an inviting atmosphere at schools for parental participation
- Consider language barriers for students and teachers (especially during end-of-grade testing)
- Consider personal background of at-risk students
- Employ school social workers
- Establish collaboration among state officials, educators and communities
- Integrate with an appropriate nonprofit support
- Bring back the prestigious position of teachers
- Assist Hispanic/Latin American families with transition into our schools
- Support migrant education
- Acknowledge unfair discipline of minority and at-risk students
- Address the lack of culturally-based curriculum
- Address the high dropout rate

- Conduct more educational meetings on school campuses
- Look for long-term resolutions
- Support after-school programs and provide transportation

- Reconsider the block system
- Supplement educational grants

Meeting

Following the roundtable discussion, the Commission held its second meeting, at which time the members discussed what they had heard at the public hearing and roundtable discussion.

April 7, 2000

Multiple Factors that Impact Student Achievement and Performance

At this meeting, Dr. Forrest Toms, President and CEO, Training Research Development, Inc., addressed the context of looking at achievement performance, the issue of at-risk students versus students placed at risk, and school-based leadership. Dr. Toms emphasized the role of nonprofit and community-based organizations in providing support outside of the school. He also presented information about the FACED (Family and Community Enrichment Development) Center, which is a nonprofit organization established in Hickory that has support from the local city and county governments. This program serves approximately 60-70 children, in kindergarten through eighth grade, five days per week. Services are provided in the areas of homework assistance, tutoring, EOG skill development, and cultural enrichment activities. The program also has active partnerships with the local school system and health and human service agencies.

Dr. Toms stressed the need for diversity training – a “readiness level” to accept differences (demographically, socially, politically). He stated that some educators are operating under the “no difference” hypothesis, which says that you treat everybody the same. Dr. Toms noted that learning is not context neutral. Problem environments, inadequate preparation, non-existent support systems, peer pressure, school systems, curriculum and organization of schools are some areas in which students may be placed at risk before coming to school or during their stay at school.

Dr. Toms stated that funds must be given to nonprofits that are doing good work and nonprofits must be given a chance to become successful. He noted that his organization has been in operation since 1995 and they have had less behavior problems and significant increases in children grades K-5. Parental involvement has been a struggle in this organization, but a parental advisory board has been established to help keep the parents active and informed.

Dr. Toms stated that the relationship between the after school program and teacher involvement and academic performance measures is a positive one. His staff meets bi-monthly with the teachers of each student to review their academic progress. Local fast food restaurants provide food for the meetings. Dr. Toms' program is also working towards hiring a counselor to work at least two days per week to teach oratorical, writing, and cultural skills. The local school system supports transportation to and from this program. A team empowerment leadership development group was created to help minimize the student dropout rate. Dr. Toms' program has been fortunate in that none of their middle school age students have dropped out since participating in this program. Designing a series of different activities, events, and processes encourages parental involvement. Follow-up phone calls or home visits are also used if needed. Dr. Toms noted that his program is staffed by teachers and teacher assistants in the Hickory area, as well as by area college students who are working towards an educational degree. Dr. Toms also noted that school systems could do the same things that his program is doing if they develop the appropriate climate.

Historically Minority Colleges and Universities Consortium (HMCUC)

Dr. Beverly Jones, Dean, University College at North Carolina Central University and Leading Project Investigator for HMCUC, was the next presenter. HMCUC is comprised of the following institutions: Barber Scotia College, Bennett College, Elizabeth City State University, Fayetteville State University, Johnson C. Smith University, Livingstone College, North Carolina Agricultural and Technical State University, Shaw University, St. Augustine's College, The University of North Carolina at Pembroke, and Winston-Salem State University. North Carolina Central University serves as the lead institution.

Dr. Jones explained that the purpose of the Consortium is to establish a network among public schools, families, businesses, nonprofit and community organizations, and the faith community. It will be the collaborative infrastructure for the review of policy and implementation of programs to promote family cohesiveness and to improve the achievement of minority students in the State. Ms. Nan Coleman, Consulting Coordinator, HMCUC stated that the Consortium will offer family involvement outreach models; training and staff development models for teachers, counselors and administrators; and enrichment programs and community-based outreach models. Ms. Kenneth Johnson, Consultant, HMCUC, gave an overview of the activities of the Consortium and the participating institutions. These involve the expansion of community partnerships and networks, the implementation of Phase I 2000-2001, planning and development, and Phase II 2001-2002, implementation of direct service models. Dr. Jones closed the presentation by noting that at least four million dollars is needed this year to continue this program and at least 20 million dollars will be needed in the long run to continue a quality program.

After School Intervention and Analysis: TANF Children

Mr. Peter Leousis, Assistant Secretary for Human Services, reviewed the services provided by the DHHS to low-income families. These include after-school tutoring, after-school enrichment programs, technology-based learning, and Saturday academies. Mr. Leousis noted the percentage of reading and math improvements of third through eighth graders before and after their participation in after-school programs. He concluded by stating, "After-school programs can significantly enhance the educational progress of TANF children, and the potential return on investment from TANF funds allocated for these programs is high if school performance continues and dropout rates are lowered."

Funding in Public Schools for At-Risk Students

Mr. Philip Price, Fiscal Analyst, discussed State and federal funding in public schools and coordination with other State and local agencies. The following funding sources are directly targeted to at-risk students: ESEA Title I, Goals 2000, Title VI, Migrant, Comprehensive School Reform, Even Start, Homeless, Learn and Serve America, and Charter Schools. Also, the following federal funds can be used for at-risk students: EHA Title VI-B, Vocational Education, Reduction of Class Size, Pre-School Handicapped, Technology Literacy Challenge, Safe and Drug Free Schools, Dwight D. Eisenhower, Abstinence Education, and Child Nutrition.

Collaborative Programs in Public Schools

Mr. Marvin Pittman, Assistant to State Superintendent of Public Instruction, spoke on collaborative programs that are in place and working throughout North Carolina schools. He presented "Closing the Gap: Improving Minority and At-Risk Student Achievement IV: School System/School Blueprint." The blueprint includes the following phases:

- Phase 1: The Initiation: Build Core Support
- Phase 2: Develop Ideas and Specific Strategies
- Phase 3: Build Community Interest and Support for Improving Student Performance
- Phase 4: Reach Consensus on a Plan of Action
- Phase 5: Develop the Blueprint for High Achieving Schools
- Phase 6: Inform and Educate the Larger Community About Your Plan
- Phase 7: Implement the Blueprint for Exemplary Schools
- Phase 8: Evaluate and Improve Your Blueprint for Exemplary Schools

ABC's Pilot Program

Mr. Louis Fabrizio, Director of Accountability, DPI, reviewed a pilot program established by the General Assembly. He noted that the State Board of Education would select up to five local education agencies to pilot additional requirements above and beyond the regular ABC's program. Whereas the regular ABC's program looks at the average test scores of all students in each school by grade level and subject area, the schools participating in the pilot program must disaggregate test data. Instead of just looking

at how well the average students in the third grade perform, the pilots will look at student performance by categories, such as by race, eligibility for free and reduced lunch, and pretest achievement level. Participating schools will receive incentives as part of the regular ABC's program if they meet the criteria for the regular ABC's program. Plus, they will be eligible for additional incentive awards if their students meet their grade expectations under the pilot program.

Recent Studies and Articles on the Achievement Gap

Dr. Shirley Iorio, Committee Education Specialist, summarized "Hope for Urban Education: A Study of Nine High-Performing, High-Poverty, Urban Elementary Schools", which examined nine urban elementary schools that served children of color in poor communities and achieved impressive academic results. The schools have attained higher levels of achievement than most schools in their states and more schools in the nation. Dr. Iorio also summarized the findings in a recent four-part article in *Education Week*:

Part One: Unmet Promise: Raising Minority Achievement

- After decades of school desegregation efforts, during which the gap between blacks and whites closed substantially, progress has stalled.
- At the same time, the greater diversity of the school population and the rapid growth of the Hispanic population and other ethnic groups have reshaped the problem with a more complex set of issues.

Part Two: Lags in Minority Achievement Defy Traditional Explanations

- If the researchers studying the reasons why black and Hispanic students continue to trail non-Hispanic whites in academic achievement were pressed to say one thing for certain about their work, it might be this: The usual explanations aren't good enough.

Part Three: Minority Gaps Smaller in Some Pentagon Schools

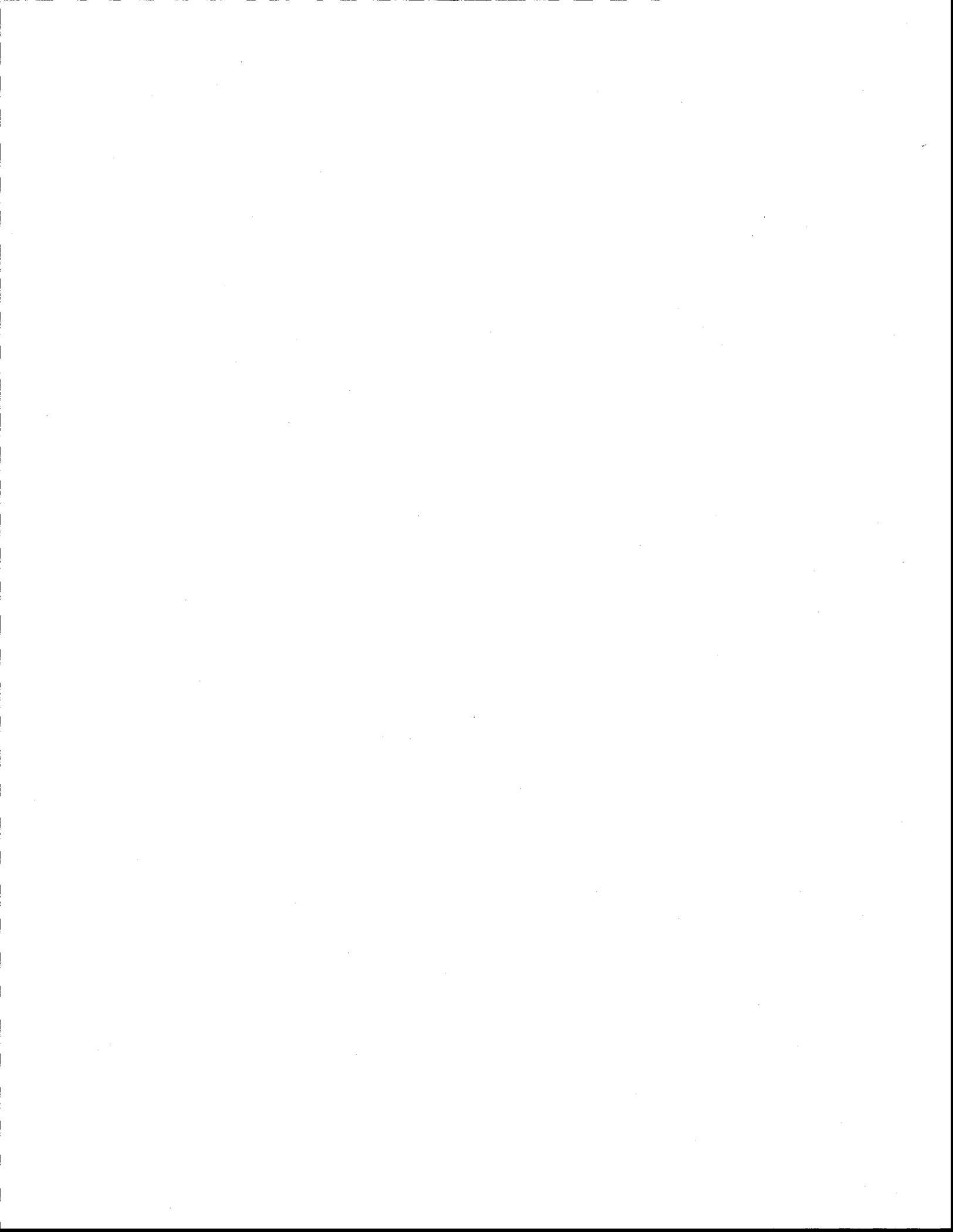
- Schools run by the US Department of Defense for children of military families offer lessons on how to raise the achievement of low-income minority students.

Part Four: Lifting Minority Achievement: Complex Answers

- The Minority Achievement Committee is Shaker Height's best-known antidote to the nagging academic achievement gap that separates black and Hispanic students from their white and Asian American counterparts here and in schools nationwide.

April 26-28, 2000

The Commission attended DPI's Conference on Closing the Achievement Gap held in Greensboro at the Koury Convention Center. The Commission held its final meeting on April 27 to discuss its proposals for the 2000 Session of the General Assembly. This interim report was approved unanimously.

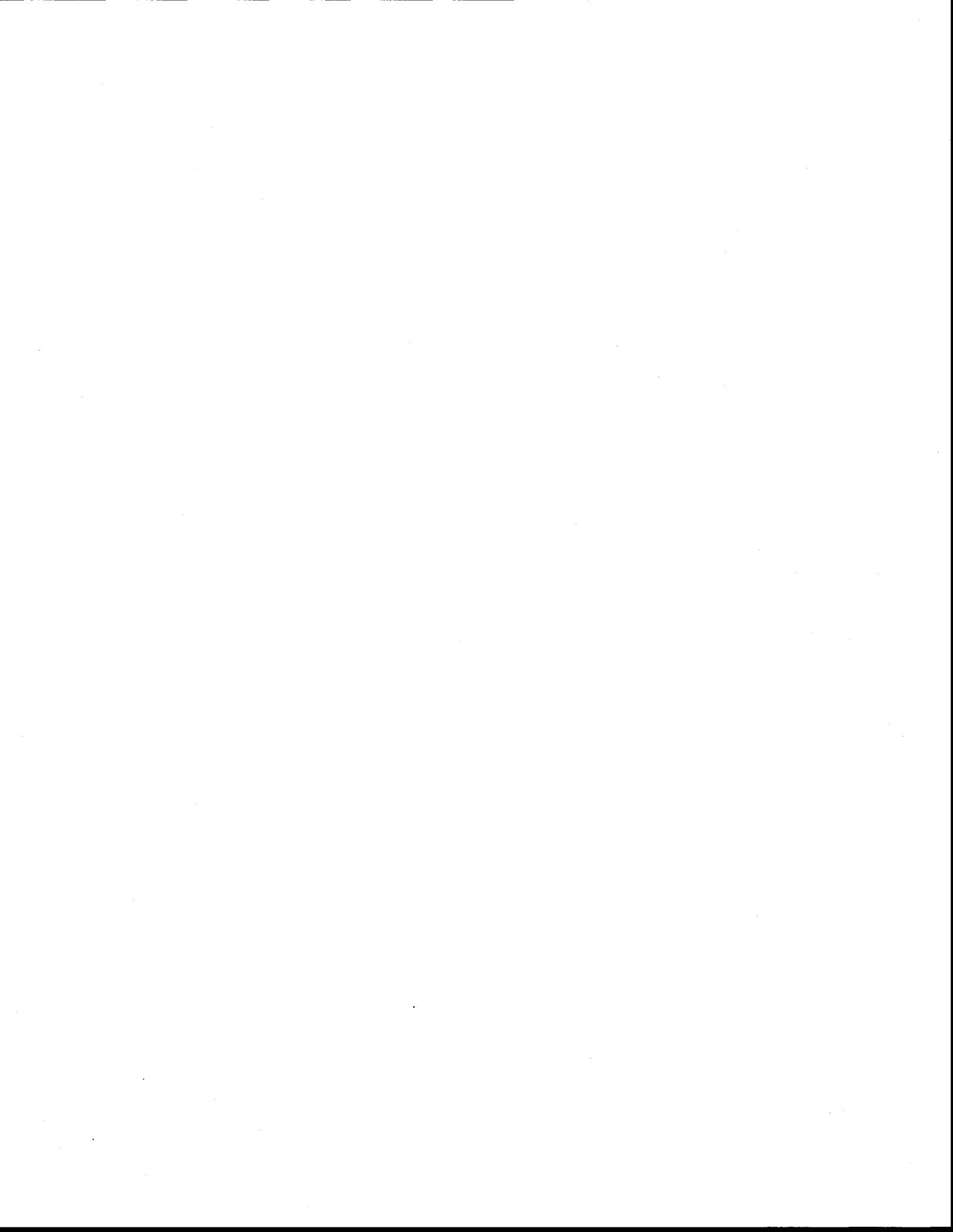


COMMISSION FINDINGS

- I. For the 1998-99 school year, 48.5% of African-American, 55.6% of Native American, and 55.5 % of Hispanic/Latin American students scored at or above grade level on the increasingly important end-of-grade tests, as compared to 79.2% of White students. These tests are becoming the basis for promotion.
- II. The gap widens throughout elementary school and remains constant through high school.
- III. African-American, Native American, and Hispanic/Latin American students currently comprise one-third of the K-12 student population. It is projected they will constitute two-thirds by 2015.
- IV. The disparities in achievement are greatest at the higher end of the achievement spectrum.
- V. While poverty is a factor in the achievement gap, it does not explain all the differences in achievement. The gap persists even in integrated middle-class communities.
- VI. Generally, growing up poor means lower levels of health care, nutrition, and educational resources in the home and the neighborhood.
- VII. African-American, Native American, and Hispanic/Latin American students too often take less challenging academic courses. This is due, in part, to tracking.
- VIII. African-American and Hispanic/Latin American students are less likely to be taught reasoning skills.
- IX. A vast proportion of the achievement gap is attributable to learning differences present when children begin school. African-American and Hispanic/Latin American students already trail White and Asian-American students on tests of general knowledge and early reading skills.
- X. Teacher quality is frequently lower in schools with concentrations of minority students and students from low family incomes. While all students suffer under inadequate instruction, the situation is more complex when viewed in conjunction with the achievement gap. Gains for African-American students are

- twice that for White students when the teachers are highly qualified and the classes are small (i.e., 15-17 students).
- XI. Academic standards must be high for all students. However, the achievement gap must be closed in ways that lead to success for all students rather than to failure for specific groups of students.
 - XII. In order to have real and significant success in addressing problems experienced by minority and at-risk students as we seek to close the achievement gap, it is necessary that our strategies not consist only of academic strategies or only of school-based strategies. Significant and lasting success will come only through addressing social, cultural and racial issues faced by the student, the student's family, the community and the school. Likewise, those who develop and implement the solutions must include human service agencies, formal and informal community organizations, and educational institutions -- including K-12 schools and the higher education sector. Much of the strategy must be prevention-based, if the problems are not to be encountered over and over in the future with other students.
 - XIII. Suggested solutions to closing the achievement gap include strategies such as decreasing class size, better pay for teachers, rigorous student standards, strong administrative leadership, safer schools, better discipline, and intensified remediation efforts. These strategies must include education, human services, and organizational initiatives that focus attention in a holistic manner on the student, the school, the family, and the community.
 - XIV. The disaggregation of relevant data is a prerequisite to seriously addressing the disparity in student achievement. The more this data is disaggregated, the better the analysis will be.
 - XV. Suspension of students is often not an effective solution for improving academic achievement and behavior, particularly where no academically, culturally, and socially sound alternatives are available.
 - XVI. Significantly improved academic achievement is more prevalent where conditions consistent with an atmosphere of learning exist. Therefore, it is necessary that the environment within the family, the school and the community reflect attitudes and behaviors likely to produce academic and social competency.
 - XVII. Insistence by parents that their children seriously engage in studying and learning is vital.

- XVIII. The greatest correlate in determining whether students earn bachelor's degrees is their participation in a strong high school academic curriculum.
- XIX. Academic pursuits must continue over the summer as part of closing the gap. Where students learn at the same approximate rate, low-income children lose more over the summer. This could be due in great part to gaps in exposure, enrichment, and academic activities.



COMMISSION RECOMMENDATIONS

1. Enact **LEGISLATIVE PROPOSAL 1** (*Closing the Achievement Gap*), which would do the following:

Section 1: Establish the Student and Family Success Pilot Program, which is modeled after legislation introduced during the 1999 Session of the General Assembly and included in the budget bill, but unfunded due to need for emergency funds to address the flooding crisis that developed in Eastern North Carolina. This would be phased in statewide. The State Board of Education and Department of Instruction (SBE/DPI), The Department of Health and Human Services (DHHS), and other appropriate State and local governmental agencies, shall determine existing sources of federal and state funding that can be utilized to implement the program, and shall determine what additional resources -- fiscal and otherwise -- are available to carry out the purposes of this legislation, and shall develop a plan for full implementation. A progress report shall be made to the Commission by March 1, 2001, and a final report made by February 1, 2002. The final report shall include a recommendation as to whether the pilot program should be extended statewide.

Section 2: Direct SBE to study the following:

- ❖ The criteria used to identify whether a student has a behavioral or emotional disability and requires special education. The study shall determine whether identification and placement decisions of these students are based primarily on valid and objective criteria.
- ❖ The curricula for these students, to determine whether they are sufficiently rigorous and the teaching methodologies are sound and appropriate.
- ❖ Utilization of other services, such as mental health, mentoring, and consultation, to improve academic and social success for these students.
- ❖ Qualifications of teachers who are assigned to teach these students.

The Board must report the results to this Commission and the Joint Legislative Education Oversight Committee by January 1, 2001, and March 1, 2001.

Section 3. Direct SBE to study the following:

- ❖ The underrepresentation of minority and at-risk students in honors classes, advanced placement classes, and academically gifted programs.
- ❖ Whether valid and objective criteria is used to determine eligibility for these programs.
- ❖ Whether low expectations or specific instructional practices, such as tracking, contribute to the underrepresentation.

The Board must report the results to this Commission and the Joint Legislative Education Oversight Committee by January 1, 2001, and March 1, 2001.

Section 4. Direct SBE to design a Minority Achievement Report Card.

The State Board must report to this Commission by October 1, 2000. The report card must be based on data collected at the system and school levels. Local school administrative units must collect, maintain, and submit data needed to prepare the report card. The Board must disseminate the data in an accessible form, such as through a web site. The Board must establish a baseline in accordance with its plan for the report card, which must be implemented fully beginning with the 2001-2002 school year.

Section 5. Direct SBE to develop guidelines to form a local task force in each local school administrative unit.

The purpose of the local task force is to advise the school board and administration on closing the gap in academic achievement, and to work with the board and administration in developing a collaborative plan for achieving that goal. Wherever appropriate, each local school administrative unit shall have a task force. The task forces shall be racially diverse and shall include representation from human service agencies, non-profit organizations and the business sector. The Board shall determine the funding needed to implement these guidelines, and shall report this information to the Commission by November 1, 2000.

Section 6. Direct SBE to develop a plan and budget (projecting 5-year cost), to:

- ❖ Provide sufficient staff development activities so as to ensure teachers have the tools needed for success in teaching a diverse student population and interacting with their families. These activities shall include understanding and respecting racial, ethnic, religious, and cultural impact on a child's development and personality.
- ❖ Provide sufficient funding for Limited English Proficiency (LEP) students.
- ❖ Translate the State-level forms and basic school information that will be made available to parents or to the general public into Spanish, and include them on the DPI web site in English and Spanish.
- ❖ Evaluate the level of funding needed to have LEAs hire translators to work with Spanish-speaking parents and those school personnel whose jobs require regular contact with those parents.
- ❖ Provide appropriate staff development funds for training in English as Second Language (ESL) methodologies and pedagogy for teachers, administrators and support personnel.
- ❖ Review implementation guidelines for student accountability standards and promotion policies for LEP students.
- ❖ Develop guidelines for evaluating students' instructional portfolios and for waiving test standards for LEP students. Consider extending the End-of-Grade testing exemption period to more than two years for LEP students.

- ❖ The Board must report to this Commission on the plan and budget by November 15, 2000.

Section 7. Direct SBE to develop a plan to establish a hotline to collect complaints alleging disparate treatment of minority students and students from low-income families.

- ❖ The guidelines must include the following:
- ❖ The establishment of teams to review and categorize the complaints and report to the General Assembly annually.
- ❖ The appropriate number of hotline personnel who speak and understand Spanish.
- ❖ Where warranted, a mechanism for the Board to respond to and secure an independent and impartial investigation of systemic problems revealed through the complaints.
- ❖ A procedure for the Board to report individual complaints to a local school administrative unit for its investigation, unless the person making the complaint requests otherwise.
- ❖ Criteria for local investigation that assures fair and impartial investigation.
- ❖ Any additional information that is required so that the hotline is fully implemented by the 2001-2002 school year.
- ❖ The Board must report to this Commission by November 15, 2000, on the implementation of this section and may request funds at that time to establish the hotline.

Section 8. Direct SBE to collect data on student suspensions, expulsions, and placements in alternative programs on the basis of race, gender, and conduct. The Board must report this information to this Commission by November 15, 2000.

Section 9: Make permanent this Commission so that it can continue its work after the end of this year and so that it can accomplish the work described in this report under FUTURE COMMISSION ACTIVITIES.

Section 10. Provide \$1,500,000 for the 2000-2001 fiscal year for the purpose of supporting "The Historically Minority College & University Initiative to close the Achievement Gap."

Section 11. Authorize SBE to use up to \$200,000 from funds appropriated in 2000-2001 to carry out its directives in sections 2-8 of the proposal.

Section 12. Appropriate \$50,000 for 2000-2001 fiscal year for the Commission to continue its study after the Short Session.

2. The Commission recommends that the 2000 General Assembly fully fund the State Board of Education's budget request of \$31 million for addressing the achievement gap and \$10 million for LEP funding.

FUTURE COMMISSION ACTIVITIES

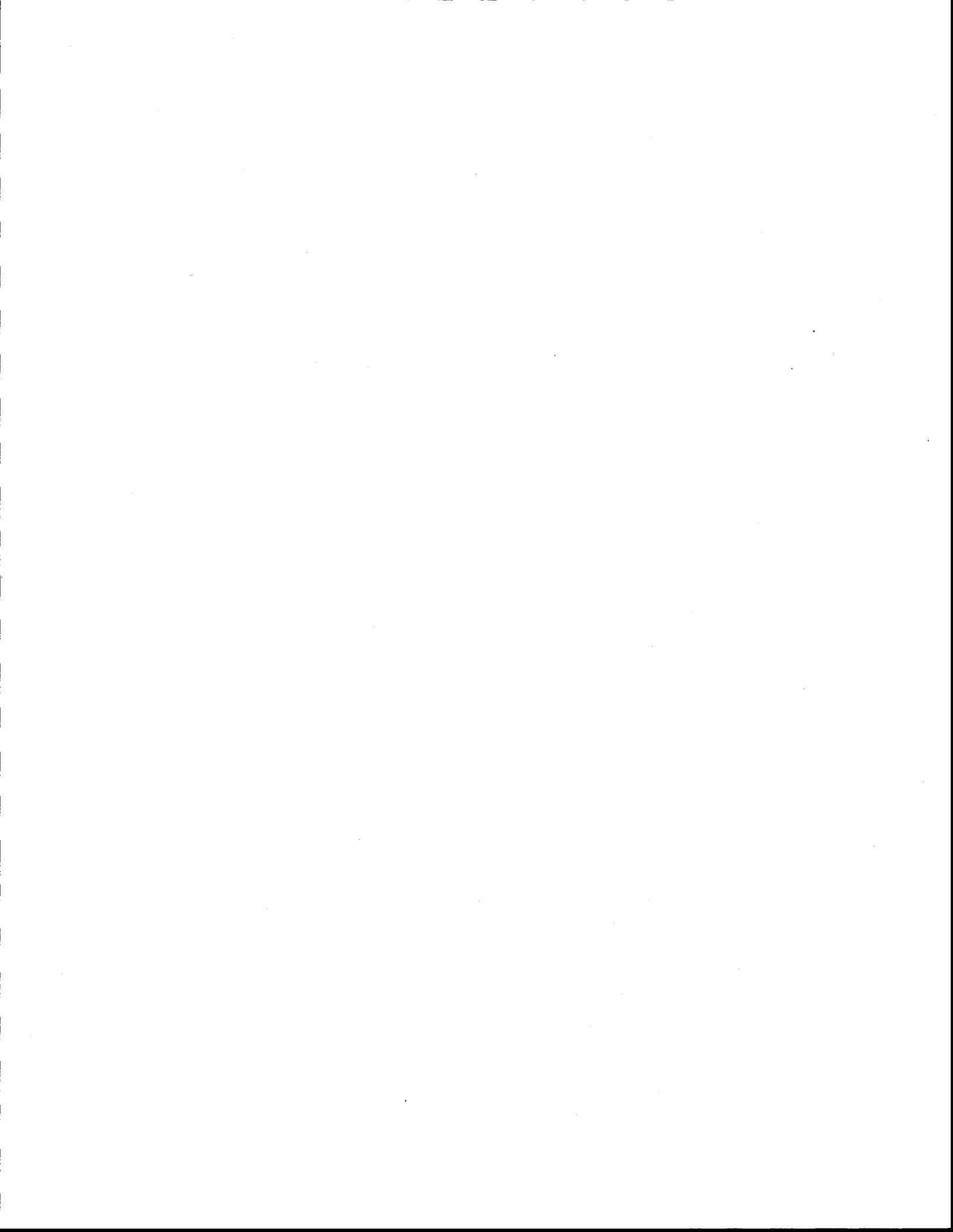
In order to derive experiential and research based approaches to achieving substantial and lasting success in improving the academic status of minority and at-risk students, the Commission shall:

- A. Consult with national experts, visit successful programs, and identify and engage North Carolina researchers in closing the gap. The national experts are those who are researching the achievement gap and other relevant issues and who are implementing approaches at closing the gap.
- B. Review work of the following persons and entities, consult with them and, where appropriate, conduct site visits:
 - ❖ Ronald F. Ferguson, Harvard economist who is studying the achievement gap.
 - ❖ Edmund W. Gordon, Yale professor who is chairing the College Board's task force on the relatively small number of minorities at the upper achievement levels (there was a recently released report).
 - ❖ Jacqueline Jordan Irvine, professor of Urban Education at Emory
 - ❖ U. S. Department of Defense Schools
 - ❖ The Beacon Schools model
 - ❖ Montgomery County, MD schools
- C. Review literature, including the Charles Stewart Mott Foundation report, "Afterschool Makes the Grade".
- D. Identify and review tools used for evaluating academic, social and behavioral at-risk status for children and families. Examine whether they are culturally and racially sensitive.
- E. Examine how family resource centers in North Carolina, both school-based and community-based, are functioning, and the extent to which they are capable of helping at-risk students and their families significantly increase academic, behavioral and social success, and in creating an atmosphere of learning. Determine the extent to which they can be replicated.
- F. Examine programs and activities designed to increase bonding between non-custodial parents and their children who are at-risk, and examine their success and the extent to which they can be replicated.
- G. Identify positive and negative community or environmental factors that influence at-risk status. Examine what can and should be done to counter the negative factors and to encourage the positive factors.

- H. Examine how the talents and skills of school support personnel, such as school social workers, can most effectively be utilized in North Carolina's efforts to assure academic and social success for minority and at-risk students.
- I. Confer with students on how they can be assisted in dealing with peer pressures and environmental factors that negatively influence academic and behavioral success. Examine what research reveals.
- J. Examine the extent, nature, desirability, and adverse affects of tracking in North Carolina schools. Determine the extent to which it is desirable, and how to address the adverse impacts.
- K. Examine the level of minority participation in challenging high school academic curricula, such as Advanced Placement courses, three or more years of English, math beyond Algebra 2, two or more years of laboratory sciences, foreign languages and history.
- L. Examine, encourage, and recommend funding for programs designed to enhance the learning environment for children by focusing, where appropriate, on parenting skills, early childhood development knowledge, and literacy skills for parents and families of low-achieving students who have siblings below the fifth grade.
- M. Confer with Deans of Schools of Education, LEA recruiters, Mentor Teachers, the NC Teaching Fellows Program, researchers and others, on ways to increase the number of qualified teachers who possess needed racial, cultural, and economic sensitivity, and who are prepared to provide effective and high-quality education experiences for diverse student populations. Examine ways to attract these teachers to schools with high concentrations of minority and low family income students, and schools that are low-performing.
- N. Review categories for disaggregation of data based on race; being cognizant of the diversity within commonly used categories. Determine whether modifications are needed in order to get an accurate perspective on academic achievement of various student populations.
- O. Conduct round-table discussions and forums in various LEAs that have been successful in closing the gap and in increasing overall achievement. Examine how they use funds, other resources, and programs to address the issue. Examine what they are planning for the future, what barriers they still face, what parents and community residents think of the efforts, the extent to which the efforts are replicable, how they employ goal setting and the process they use in working toward

those goals. Examine the extent to which they collaborate with other agencies and organizations, and the way they define academic and behavioral success and how they reinforce it. Examine their instructional and administrative leadership strategies, and their methods of partnering with parents.

- P. Engage in discussions with the five ABC's pilot sites designed to measure how effectively schools are educating students of different demographic groups [Bladen, Charlotte/Mecklenburg, Craven, Elizabeth City/Pasquotank, and Winston-Salem/Forsyth].
- Q. Engage in discussions with charter school representatives regarding what works in their experiences that can be replicated. Examine things they believe cannot be replicated in other settings, and why not.
- R. Monitor and engage in discussions with alternative school programs to determine how they function, their goals, the level of program effectiveness, their success in getting students back into regular school settings, and other related issues.
- S. Widely disseminate the results of the Commission's work to education agencies and other governmental agencies, to organizations that have an education focus, and to the general public.
- T. Continue discussion regarding implementation of SBE student accountability standards. Make recommendation to 2001 Session of General Assembly as to whether the policy needs to be postponed or revised based on an analysis of most recent of test data and other relevant information.
- U. Evaluate ABCs formula in light of ABC's pilot program to determine whether incentives and sanctions should be revised to reflect progress in academic performance of minority students and students from low-income families. Consider whether the current incentives should be reduced to any school that fails to achieve a minimum achievement level for each category of students.
- V. Determine what data is currently collected from programs and activities designed to close the achievement gap, whether through education agencies, human services agencies or government funded private nonprofit agencies, and the extent to which the data may be utilized in longitudinal analyses.



AUTHORIZING LEGISLATION
1999 S.L. 395, SECS. 15.1 – 15.11

PART XV.-----COMMISSION ON IMPROVING THE ACADEMIC ACHIEVEMENT OF MINORITY AND AT-RISK STUDENTS (S.B. 943 - Martin of Guilford; S.B. 762 - CARTER; H.B. 1116 - WRIGHT; H.B. 536 - MOORE)

Section 15.1.(a) The Commission on Improving the Academic Achievement of Minority and At-Risk Students is created. The Commission shall consist of 22 members as follows:

- 1) Five senators and three public members appointed by the President Pro Tempore of the Senate;
- 2) Five representatives and three public members appointed by the Speaker of the House of Representatives; and
- 3) Six public members appointed by the Governor, who represent groups or individuals with knowledge and experience in advocating, educating, or assisting minority and at-risk students to achieve, at least one of whom is a representative of a statewide nonprofit education advocacy organization that advocates on behalf of minority and at-risk students and at least one of whom is a representative of a statewide organization that represents the interests of African-Americans. In making appointments to the Commission, the appointing officers shall ensure that African-American members have significant representation on the Commission.

Section 15.1. (b) Initial appointments to the Commission shall be made before September 15, 1999. The first meeting of the Commission shall be held no later than October 15, 1999.

Section 15.2. The President Pro Tempore of the Senate shall designate one senator as cochair and the Speaker of the House of Representatives shall designate one representative as cochair.

Section 15.3. The Commission shall be authorized to:

- 1) Gather accurate and reliable data and research information pertaining to the status of minority and at-risk students in the North Carolina public education system;
- 2) Identify and visit education programs and other efforts within and outside North Carolina that appear to be successful in yielding significant positive results for minority and at-risk students;
- 3) Consult with higher education faculty members and other persons who have been engaged in extensive research and observation related to these issues and encourage their direct involvement in the activities of the Commission;
- 4) Conduct hearings throughout the State for the purpose of obtaining meaningful information regarding successful education programs and efforts related to those concerns;

- 5) Identify, consult, and meet with representatives of national, regional, and State-level organizations and agencies that could be particularly helpful in addressing these concerns;
- 6) Devise recommendations as to steps that should be taken to address these concerns -- steps to be taken separately and collectively by:
 - a) State government agencies;
 - b) Local government agencies;
 - c) Public schools and higher education institutions;
 - d) Nonprofit organizations, including community-based organizations, with particular emphasis on those with direct ties to families of these children and youth;
 - e) Foundations;
 - f) Religious institutes;
 - g) Civic organizations;
 - h) Business and industry; and
 - i) Other entities.
- 7) Determine the extent and categories of fiscal and human resources needed to address the identified concerns.
- 8) High school graduation standards, including adequacy of course requirements and related issues.

Section 15.4. In the study, particular emphasis should be placed on programs and efforts that have been successful in imparting:

- 1) Improved educational achievement;
- 2) Reduction of school discipline and behavioral problems;
- 3) Reduction of minority and at-risk student dropout rates; and
- 4) Improved relations between parents, schools, and students.

Section 15.5. The Commission shall make an interim report of its findings and recommendations to the General Assembly not later than the convening of the 2000 Regular Session of the 1999 General Assembly. The Commission shall submit to the General Assembly a final report of its findings and recommendations of this study not later than the convening of the 2001 General Assembly. Upon filing its final report, the Commission shall terminate.

Section 15.6. The Commission, while in the discharge of official duties, may exercise all the powers provided under the provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may meet in the Legislative Building or the Legislative Office Building.

Section 15.7. Members of the Commission shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1.

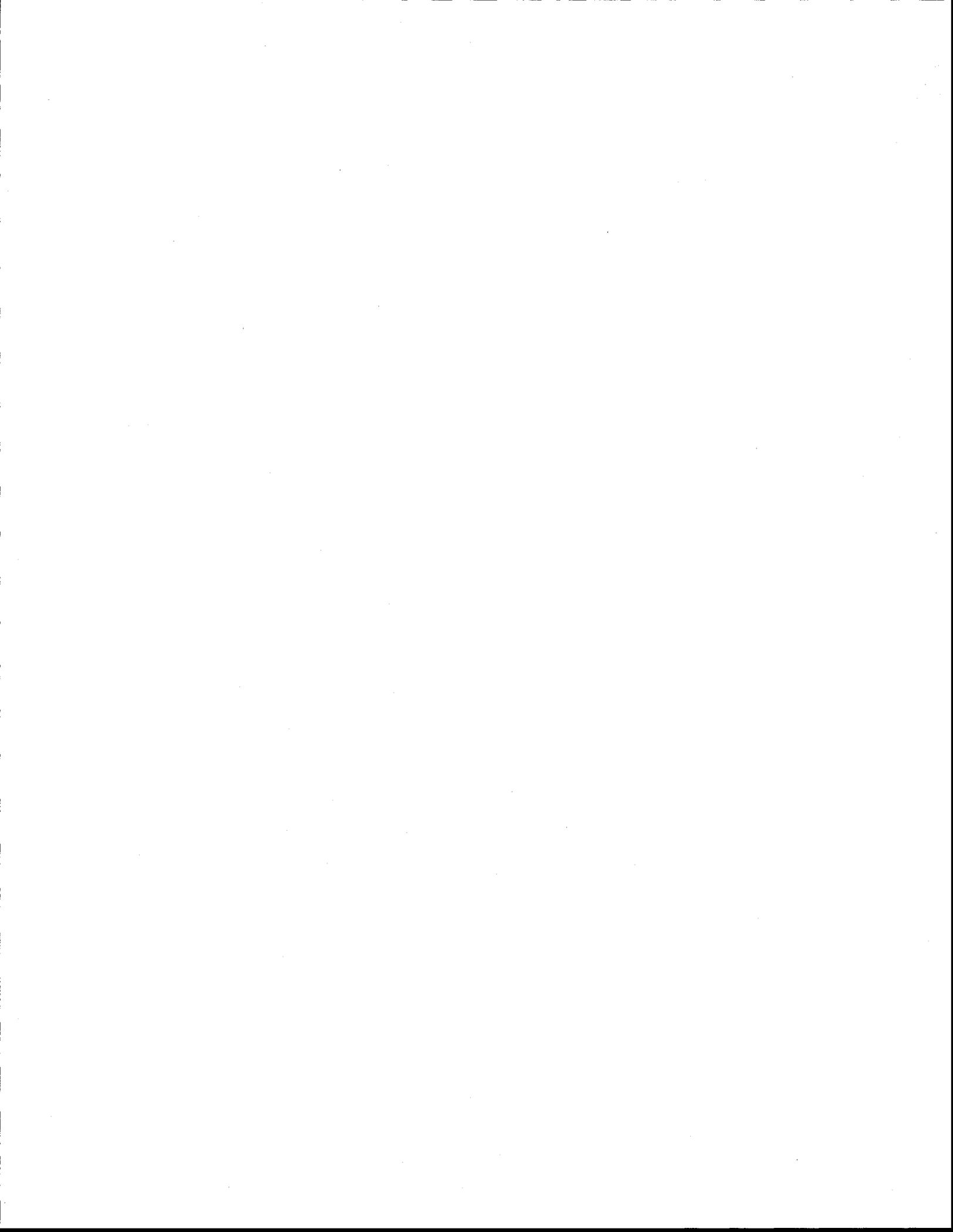
Section 15.8. The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02. The Legislative Administrative Officer shall assign professional staff to assist in the work of the Commission. The House of Representatives' and the Senate's Supervisors of Clerks shall assign clerical

staff to the Commission, upon the direction of the Legislative Services Commission. The expenses relating to the employees shall be borne by the Commission.

Section 15.9. When a vacancy occurs in the membership of the Commission, the vacancy shall be filled by the same appointing officer who made the initial appointment.

Section 15.10. All State departments and agencies and local governments and their subdivisions shall furnish the Commission with information in their possession or available to them.

Section 15.11. The Legislative Services Commission shall allocate funds available to the General Assembly to implement the provisions in this Part.





SHORT TITLE: CLOSING the Achievement Gap.

BRIEF OVERVIEW: The proposal would:

- Direct the Department of Health and Human Services (DHHS) to establish a pilot program to assist families at certain income levels that have children performing below grade level. The pilots must be family-focused. DHHS and other appropriate State and local governmental agencies shall determine existing sources of federal and state funding that can be utilized to implement the program, and shall determine what additional resources -- fiscal and otherwise -- are available to carry out the purposes of this legislation. DHHS must make a progress report to the Commission by March 1, 2001, and a final report by February 1, 2002. The final report shall include a recommendation as to whether the pilot program should be extended statewide.
- Direct the State Board of Education to (i) study the connection between the identification of minority and at-risk students as students with behavioral and emotional disabilities and the student achievement gap; (ii) design an annual Minority Achievement Report Card; (iii) study the underrepresentation of minority and at-risk students in honors classes, advanced placement classes, and academically gifted programs; (iv) develop guidelines to enable the formation of local task forces to assist local boards and administration on closing the achievement gap; (v) develop a plan and five-year budget to meet specified needs of students who have limited proficiency in the English language; (vi) develop a plan to establish a hotline to collect complaints alleging disparate treatment of minority students and students from low-income families; and (vii) report by LEA and by race, gender, and conduct, the number of student suspensions, expulsions, and placements in alternative programs during the past two school years. The Board must report to the Commission on these issues.

- Make permanent this Commission so that it can continue its work after the end of this year and so that it can accomplish the work described in this report under FUTURE COMMISSION ACTIVITIES.
 - Provide funding to support the Historically Minority College and University Initiative to Close the Achievement Gap. North Carolina Central University coordinates this Initiative.
-

APPROPRIATIONS:

- Appropriate \$250,000 for 2000-2001 fiscal year to implement the pilot program.
 - Authorize State Board to spend up to \$200,000 from funds appropriated for 2000-2001 fiscal year to carry out its directives.
 - Appropriate \$1.5 million for 2000-2001 fiscal year for HMCU Initiative.
 - \$50,000 for 2000-2001 fiscal year for Commission to continue its work after the Short Session.
-

EFFECTIVE DATE: The section that makes permanent this Commission becomes effective January 31, 2001. The rest of this proposal becomes effective July 1, 2000.

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LEGISLATIVE PROPOSAL 1
GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

D

D

99-RHZ-014.2(4.7)
(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

Short Title: Closing the Achievement Gap.

(Public)

Sponsors: .

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE COMMISSION ON
3 IMPROVING THE ACADEMIC ACHIEVEMENT OF MINORITY AND AT-RISK
4 STUDENTS TO ESTABLISH A PILOT PROGRAM TO ASSIST FAMILIES AT
5 CERTAIN INCOME LEVELS WITH CHILDREN PERFORMING BELOW GRADE
6 LEVEL IN IMPROVING FAMILY COHESIVENESS, FUNCTIONING, AND
7 ECONOMIC PROGRESS AND STUDENT ACADEMIC SUCCESS, TO DIRECT THE
8 STATE BOARD OF EDUCATION TO STUDY ISSUES RELATED TO CLOSING THE
9 ACHIEVEMENT GAP, TO MAKE PERMANENT THE COMMISSION, TO
10 APPROPRIATE FUNDS TO SUPPORT THE HISTORICALLY MINORITY COLLEGE
11 AND UNIVERSITY INITIATIVE TO CLOSE THE ACHIEVEMENT GAP, AND TO
12 APPROPRIATE FUNDS TO IMPLEMENT THIS ACT.

13 Whereas, minority and at-risk students represent a
14 disproportionately high number of the public school population
15 not experiencing academic success; and

16 Whereas, the unacceptable educational achievement is
17 demonstrated by unsatisfactory performance of many minority and
18 at-risk students on State-administered end-of-grade, end-of-
19 course, and competency tests; and

20 Whereas, there is a significant gap in academic
21 achievement between minority and at-risk students and majority
22 students; and

23 Whereas, the achievement gap between student groups has
24 not been significantly closed or narrowed in the past decade

1 despite an overall increase in student achievement in North
2 Carolina; and

3 Whereas, the reported discipline rate for minority and
4 at-risk students is high, when compared to other students; and

5 Whereas, the dropout rate for minority and at-risk
6 students is high; and

7 Whereas, the State Board of Education and the Department
8 of Public Instruction recognize that, although progress is being
9 made, there is still much that remains to be done to sufficiently
10 meet the education needs of so many minority and at-risk
11 students; and

12 Whereas, it is acknowledged that to the extent our
13 schools do not satisfactorily meet the education needs of
14 minority and at-risk students, North Carolina taxpayers
15 experience unnecessary economic and social burdens through
16 factors such as reduced economic competitiveness, and increased
17 expenditures on law enforcement, constructing and operating
18 juvenile justice and adult correctional facilities; and

19 Whereas, the General Assembly recognizes that in order
20 to be competitive as a State in the 21st century, all students
21 must achieve educational proficiency in a rapidly changing
22 technological, educational, and cultural environment; and

23 Whereas, it is in the best interest of the North
24 Carolina citizenry that a coordinated strategy be developed for
25 implementing measures designed to yield substantial improvements
26 in the educational achievement of minority and at-risk students;

27 Now, therefore,

28 The General Assembly of North Carolina enacts:

29 Section 1.(a) The Department of Health and Human
30 Services, Division of Social Services, shall establish and
31 administer a pilot program to assist families that have children
32 who are performing below school grade level in strengthening
33 family cohesiveness, functioning, and economic progress and
34 improving the academic performance of their children. The
35 program shall be developed and implemented no later than August
36 1, 2001, as follows:

- 37 (1) Each pilot program shall be family-focused and
38 designed to improve family success in addressing
39 issues pertaining to:
- 40 a. Family functioning and economic progress;
 - 41 b. Academic success for children in the family in
42 a manner that reduces the likelihood that the
43 children will have a life of poverty; and

- 1 c. Strengthening the communities in which the
2 family lives.
- 3 (2) There shall be at least eight pilot programs
4 initially established which shall be based on
5 components of successful models and concepts. Any
6 nonprofit, tax-exempt organization or local
7 government agency that is part of the collaborative
8 effort to develop the pilot program may serve as
9 the lead agency in applying for and administering
10 grant funds.
- 11 (3) Families eligible for participation in a pilot
12 program shall be those families:
- 13 a. Who have at least one child in elementary or
14 middle school who is performing academically
15 at least one year below the child's grade
16 level;
- 17 b. At least one adult member of which agrees to
18 participate in the program and in a culturally
19 appropriate assessment of family functioning;
20 and
- 21 c. Whose income is below two hundred percent
22 (200%) of the federal poverty level or whose
23 income is at or above two hundred percent
24 (200%) of the federal poverty level if
25 authorized by the requirements of the funding
26 source.
- 27 (4) The Department and other entities collaborating to
28 develop the program shall identify resources
29 currently available to address the concerns of
30 below-grade-level academic performance and problems
31 related to family cohesiveness, functioning, and
32 family economic progress, and shall strive to
33 harness these resources in a manner that increases
34 effectiveness and reduces overall costs of the
35 pilot program. The Department shall also determine
36 which entities can best operate which components of
37 the total pilot program, and how those entities can
38 contribute to the abilities of others to be more
39 successful in operating their components.
- 40 (5) The Department may obtain the services of
41 consultants in the planning, coordination,
42 implementation, and evaluation of the program.
- 43 (6) The Department of Health and Human Services shall
44 establish a task force to collaborate with and

- 1 advise the Department on the development and
2 implementation of the program. The task force
3 shall consist of, at a minimum, representatives of:
- 4 a. The Department of Public Instruction;
 - 5 b. The Cooperative Extension Services at North
6 Carolina Agricultural and Technical State
7 University and at North Carolina State
8 University;
 - 9 c. The Office of Juvenile Justice;
 - 10 d. Workforce Development Boards;
 - 11 e. Local education agencies;
 - 12 f. Local departments or boards of social
13 services, county commissioners, and health
14 departments;
 - 15 g. Community-based organizations, specifically
16 those that work within low-income communities;
17 and
 - 18 h. Religious organizations or institutions.
- 19 (7) Each of the pilot programs shall have comparable
20 structures for administration, advice, and
21 technical assistance.
- 22 (8) Each pilot program shall be developed in a way that
23 results in observable and measurable outcomes and
24 that are subject to sound evaluation techniques.
25 Evaluation measures and techniques shall be
26 designed and implemented to:
- 27 a. Identify and explain the components of the
28 pilot that are successful and those that are
29 not successful;
 - 30 b. Recommend systemic changes through integration
31 of positive outcomes; and
 - 32 c. Produce outcomes that, if successful, can be
33 replicated.
- 34 (9) The Department shall present a progress report to
35 the Commission on Improving the Academic
36 Achievement of Minority and At-Risk Students by
37 March 1, 2001. This report shall contain a plan to
38 implement and evaluate the program, including:
- 39 a. Pilot sites selected;
 - 40 b. Identification of evaluation tools;
 - 41 c. Identification of existing sources of federal
42 and State funding that can be used to
43 implement and evaluate the program;

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- 1 d. Identification of additional resources, fiscal
2 and otherwise, that are available to implement
3 and evaluate the program; and
4 e. Strategies that utilize school facilities to
5 the maximum reasonable extent possible and
6 that do not place undue burdens on school
7 personnel.

8 (10) The Department shall make a final report to the
9 Commission on Improving the Academic Achievement of
10 Minority and At-Risk Students by February 1, 2002.
11 This report shall include a recommendation as to
12 whether the program should be extended Statewide.
13 If so, the Department shall present a plan that
14 includes the projected cost, process, and timeframe
15 for implementation of the program Statewide.

16 Section 1.(b) There is appropriated from the General
17 Fund to the Department of Health and Human Services, Division of
18 Social Services, the sum of two hundred fifty thousand dollars
19 (\$250,000) for planning and initial implementation of the pilot
20 program authorized under this section. The Department of Health
21 and Human Services, the Department of Commerce, and the
22 Department of Public Instruction, shall allocate block grant
23 funds that are available for the purposes for which the pilot
24 programs are implemented to supplement State funds appropriated
25 for the planning, full implementation, and evaluation of the
26 pilot programs.

27 Section 2. The State Board of Education (Board) shall
28 study the connection between the identification of minority and
29 at-risk students as students with behavioral or emotional
30 disabilities and the gap in student achievement. As part of this
31 study, the Board shall examine the following:

- 32 (1) The criteria used to identify whether a student has
33 a behavioral or emotional disability and requires
34 special education. The study shall determine
35 whether identification and placement decisions of
36 these students are based primarily on valid and
37 objective criteria.
38 (2) The curricula for these students, to determine
39 whether they are sufficiently rigorous and the
40 teaching methodologies are sound and appropriate.
41 (3) Utilization of other services, such as mental
42 health, mentoring, and consultation, to improve
43 academic and social success for these students.

1 (4) Qualifications of teachers who are assigned to
2 teach these students.

3 The Board shall make an interim report by January 1, 2001, and
4 a final report by March 1, 2001, on the results of this study,
5 including findings and any recommendations, to the Commission on
6 Improving the Academic Achievement of Minority and At-Risk
7 Students (Commission) and to the Joint Legislative Education
8 Oversight Committee.

9 Section 3. The Board shall study the underrepresentation
10 of minority and at-risk students in honors classes, advanced
11 placement classes, and academically gifted programs. The Board
12 shall evaluate whether this underrepresentation contributes to
13 the gap in student achievement. In particular, the Board shall
14 examine the criteria used to identify whether a student is
15 eligible for one of these classes or programs. The study shall
16 determine whether identification and placement decisions of these
17 students are based primarily on valid and objective criteria.
18 The Board also shall examine whether low academic expectations or
19 certain instructional practices, such as tracking, contribute to
20 this underrepresentation. The Board shall make an interim report
21 by January 1, 2001, and a final report by March 1, 2001, on the
22 results of this study, including findings and any recommendations
23 needed to increase representation of students in these programs,
24 to the Commission on Improving the Academic Achievement of
25 Minority and At-Risk Students (Commission) and to the Joint
26 Legislative Education Oversight Committee.

27 Section 4. The Board shall design an annual Minority
28 Achievement Report Card to be implemented fully beginning with
29 the 2001-2002 school year. The report card shall be based on
30 data the Board collects at local school administrative unit and
31 school levels. Local school administrative units shall collect,
32 maintain, and submit data needed to prepare the report card. The
33 Board shall establish a baseline in accordance with its plan for
34 the report card. The Board shall condense and publicly
35 disseminate the data in a form that can be accessed easily, such
36 as through a web site.

37 The Board shall report to the Commission by October 1, 2000, on
38 the development of the report card under this section.

39 Section 5. The Board shall develop guidelines to enable
40 the formation of a local task force in each local school
41 administrative unit. The purpose of this task force is to advise
42 and work with the local board of education and administration on
43 closing the gap in academic achievement and on developing a

1 collaborative plan for achieving that goal. The guidelines shall
2 provide for the following;

- 3 (1) Each local school administrative unit shall have a
4 task force, if appropriate.
5 (2) Each task force shall be racially diverse and shall
6 include parents, school personnel, and
7 representatives from human service agencies, non-
8 profit organizations, and the business sector.

9 The Board shall determine the funding needed to implement these
10 guidelines, and shall report this information to the Commission
11 by November 1, 2000.

12 Section 6. The Board shall develop a plan and budget
13 (projecting 5-year cost), to:

- 14 (1) Provide sufficient staff development activities so
15 as to ensure teachers have the tools needed for
16 success in teaching a diverse student population
17 and interacting with their families. These
18 activities shall include understanding and
19 respecting racial, ethnic, religious, and cultural
20 impact on a child's development and personality.
21 (2) Provide sufficient funding for Limited English
22 Proficiency (LEP) students.
23 (3) Translate the State-level forms and basic school
24 information that will be made available to parents
25 or to the general public into Spanish, and include
26 them on the Department of Public Instruction's web
27 site in English and Spanish.
28 (4) Evaluate the level of funding needed to have LEAs
29 hire translators to work with Spanish-speaking
30 parents and those school personnel whose jobs
31 require regular contact with those parents.
32 (5) Provide appropriate staff development funds for
33 training in English as Second Language (ESL)
34 methodologies and pedagogy for teachers,
35 administrators and support personnel.
36 (6) Review implementation guidelines for student
37 accountability standards and promotion policies for
38 LEP students.
39 (7) Develop guidelines for evaluating students'
40 instructional portfolios and for waiving test
41 standards for LEP students. In its development of
42 guidelines, the Board shall consider extending the
43 End-of-Grade testing exemption period to more than
44 two years for LEP students.

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1 The Board shall report to the Commission on the plan and budget
2 developed under this section by November 15, 2000.

3 Section 7. The Board shall develop a plan to establish a
4 hotline to collect complaints alleging disparate treatment of
5 minority students and students from low-income families. The
6 plan shall include the following:

- 7 (1) The establishment of teams to review and categorize
8 the complaints for reporting annually to the
9 General Assembly annually.
- 10 (2) The appropriate number of hotline personnel who
11 speak and understand Spanish.
- 12 (3) A mechanism, where warranted, for the Board to
13 respond to and secure an independent and impartial
14 investigation of systemic problems revealed through
15 the complaints.
- 16 (4) A procedure for the Board to report individual
17 complaints, unless the person making the complaint
18 requests otherwise, to the appropriate local school
19 administrative unit so that it also may
20 investigate.
- 21 (5) The criteria for a local investigation that assures
22 fair and impartial investigation.
- 23 (6) Any additional information that is required so that
24 the hotline is fully implemented by the beginning
25 of the 2001-2002 school year.

26 The Board shall report to the Commission by November 15, 2000,
27 on the implementation of this section. This report may include
28 recommendations and a request for funding to establish the
29 hotline.

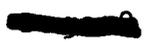
30 Section 8. The Board shall report data from the 1998-99
31 and 1999-2000 school years on student suspensions and expulsions.
32 The report shall show, for each local school administrative unit
33 and by race, gender, and conduct, the number of students
34 suspended for less than 11 days, the number of students suspended
35 for more than 10 days, the number of students expelled, and the
36 number of students placed in an alternative program as the result
37 of student conduct which could have led to a suspension or
38 expulsion. Each local school administrative unit shall submit to
39 the Board by October 1, 2000, any information the Board needs to
40 make this report. The Board shall report to the Commission by
41 November 15, 2000.

42 Section 9.(a) Chapter 120 of the General Statutes is
43 amended by adding the following new Article to read:

44 "ARTICLE 27.

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1 "Commission on Improving the Academic Achievement of
2 "Minority And At-Risk Students.
3 "§120-240. Creation; members.
4 "There is established the Commission on Improving the Academic
5 Achievement of Minority and At-Risk Students. The Commission
6 shall consist of 22 members, as follows:
7 (1) Five senators and three public members appointed by
8 the President Pro Tempore of the Senate;
9 (2) Five representatives and three public members
10 appointed by the Speaker of the House of
11 Representatives; and
12 (3) Six public members appointed by the Governor, who
13 represent groups or individuals with knowledge and
14 experience in advocating, educating, or assisting
15 minority and at-risk students to achieve, at least
16 one of whom is a representative of a statewide
17 nonprofit education advocacy organization that
18 advocates on behalf of minority and at-risk
19 students and at least one of whom is a
20 representative of a statewide organization that
21 represents the interests of African-Americans.
22 In making appointments to the Commission, the appointing
23 officers shall ensure that racial minorities have significant
24 representation on the Commission.
25 (b) Members of of the Commission shall serve terms of two
26 years beginning on August 15 of each odd-numbered year, with no
27 prohibition against reappointment. Initial terms shall commence
28 on August 15, 2001.
29 (c) The President Pro Tempore of the Senate shall designate
30 one member as cochair and the Speaker of the House of
31 Representatives shall designate one member as cochair.
32 (d) When a vacancy occurs in the membership of the Commission,
33 the vacancy shall be filled by the same appointing officer who
34 made the initial appointment.
35 "§120-241. Authority.
36 (a) The Commission shall be authorized to:
37 (1) Gather accurate and reliable data and research
38 information pertaining to the status of minority
39 and at-risk students in the North Carolina public
40 education system;
41 (2) Identify and visit education programs and other
42 efforts within and outside North Carolina that
43 appear to be successful in yielding significant
44 positive results for minority and at-risk students;



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- 1 (3) Consult with higher education faculty members and
2 other persons who have been engaged in extensive
3 research and observation related to these issues
4 and encourage their direct involvement in the
5 activities of the Commission;
- 6 (4) Conduct hearings throughout the State for the
7 purpose of obtaining meaningful information
8 regarding successful education programs and efforts
9 related to those concerns;
- 10 (5) Identify, consult, and meet with representatives of
11 national, regional, and State-level organizations
12 and agencies that could be particularly helpful in
13 addressing these concerns;
- 14 (6) Devise recommendations as to steps that should be
15 taken to address these concerns -- steps to be
16 taken separately and collectively by:
 - 17 a. State government agencies;
 - 18 b. Local government agencies;
 - 19 c. Public schools and higher education
20 institutions;
 - 21 d. Nonprofit organizations, including community-
22 based organizations, with a particular
23 emphasis on those with direct ties to families
24 of these children and youth;
 - 25 e. Foundations;
 - 26 f. Religious organizations or institutions;
 - 27 g. Civic organizations;
 - 28 h. Business and industry; and
 - 29 i. Other entities.
- 30 (7) Determine the extent and categories of fiscal and
31 human resources needed to address the identified
32 concerns.
- 33 (8) Determine what data is currently collected from
34 programs and activities designed to close the
35 achievement gap, whether through education
36 agencies, human services entities, or government
37 funded private, nonprofit agencies, and the extent
38 to which the data may be used in longitudinal
39 analyses.
- 40 (b) The Commission should place particular emphasis on programs
41 and efforts that have been successful in imparting:
 - 42 (1) Improved educational achievement;
 - 43 (2) Reduction of school discipline and behavioral
44 problems;

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1 (3) Reduction of minority and at-risk student dropout
2 rates; and

3 (4) Improved relations between parents, schools, and
4 students.

5 "§120-242. Commission; reports.

6 "The Commission may report to the General Assembly no later
7 than 30 days after the convening of any regular session of the
8 General Assembly. A report to the General Assembly may contain
9 any legislation needed to implement a recommendation of the
10 Commission.

11 "§120-243. Powers; reimbursement; meeting place; staff.

12 (a) The Commission, while in the discharge of official duties,
13 may exercise all the powers provided under G.S. 120-19 and G.S.
14 120-19.1 through G.S. 120-19.4. All State departments and
15 agencies and local governments and their subdivisions shall
16 furnish the Commission with information in their possession or
17 available to them.

18 (b) Members of the Commission shall receive per diem,
19 subsistence, and travel allowances at the rates set forth in G.S.
20 120-3.1, G.S. 138-5, and G.S. 138-6, as applicable.

21 (c) The Commission may meet in the Legislative Building or the
22 Legislative Office Building.

23 (d) Upon approval of the Legislative Services Commission, the
24 Legislative Services Officer shall assign professional and
25 clerical staff to assist in the work of the Commission. The
26 expenses relating to the employees shall be borne by the
27 Commission. The Commission may contract for professional,
28 clerical, or consultant services as provided by G.S. 120-32.02.

29 "§120-244. Commission subcommittees; noncommission membership.

30 "The Commission cochairs may establish subcommittees for the
31 purpose of making special studies under its authority, and may
32 appoint noncommission members to serve on each subcommittee as
33 resource persons. Resource persons shall be voting members of
34 the subcommittee and shall receive per diem, subsistence, and
35 travel allowances in accordance with G.S. 120-3.1, G.S. 138-5,
36 and G.S. 138-6, as applicable."

37 Section 10. There is appropriated from the General Fund
38 to the Board of Governors of The University of North Carolina the
39 sum of one million five hundred thousand dollars (\$1,500,000) for
40 the 2000-2001 fiscal year to support the Historically Minority
41 College and University Initiative to Close the Achievement Gap.

42 Section 11. Of the funds appropriated to State Aid to
43 Local School Administrative Units, the State Board of Education

1 may use up to two hundred thousand dollars (\$200,000) to
2 implement sections 2-8 of this act.

3 Section 12. There is appropriated from the General Fund
4 to the General Assembly the sum of fifty thousand dollars
5 (\$50,000) for the 2000-2001 fiscal year for the expenses of the
6 Commission on Improving the Academic Achievement of Minority and
7 At-Risk Students as established under S.L. 1999-395, Sec. 15.1-
8 15.11.

9 Section 13. Section 9 of this act becomes effective
10 January 31, 2001. The remainder of this act becomes effective
11 July 1, 2000.

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